

V.

Defendant(s).

**APPLICATION FOR
ADMISSION OF ATTORNEY
PRO HAC VICE ; ORDER
(CIVIL LOCAL RULE 11-3)**

October 2012



**Appellate Division of the Supreme Court
of the State of New York
Second Judicial Department**

I, **Aprilanne Agostino**, Clerk of the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, do hereby certify that **Priscilla Joyce Smith** was duly licensed and admitted to practice as an Attorney and Counselor-at-Law in all the courts of the State, according to the laws of the State and the court rules and orders, on the **7th** day of **May 2003**, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counselors-at-Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an Attorney and Counselor-at-Law.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Appellate Division on **May 15, 2018**.



Aprilanne Agostino

Clerk of the Court

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13 *Attorneys for Amicus Curiae*

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16

17 THE STATE OF CALIFORNIA; THE STATE
18 OF CONNECTICUT; THE STATE OF
19 DELAWARE; THE DISTRICT OF
20 COLUMBIA; THE STATE OF HAWAII; THE
21 STATE OF ILLINOIS; THE STATE OF
22 MARYLAND; THE STATE OF
23 MINNESOTA, BY AND THROUGH ITS
24 DEPARTMENT OF HUMAN SERVICES;
25 THE STATE OF NEW YORK; THE STATE
26 OF NORTH CAROLINA; THE STATE OF
27 RHODE ISLAND; THE STATE OF
28 VERMONT; THE COMMONWEALTH OF
VIRGINIA; THE STATE OF WASHINGTON,

Plaintiffs,

v.

ERIC D. HARGAN, IN HIS OFFICIAL
CAPACITY AS ACTING SECRETARY OF
THE U.S. DEPARTMENT OF HEALTH &
HUMAN SERVICES, et al.,

Defendants.

Case No. 4:17-CV-05783-HSG

**DECLARATION OF PRISCILLA J.
SMITH IN SUPPORT OF MOTION
FOR PRO HAC VICE ADMISSION**

Hon. Haywood S. Gilliam, Jr.

DECLARATION OF PRISCILLA J. SMITH

DECLARATION OF PRISCILLA J. SMITH IN SUPPORT OF MOTION FOR PRO HAC VICE ADMISSION
CASE NO. 4:17-CV-05783-HSG

1 I, Priscilla J. Smith declare and state as follows:

2 1. I file this additional declaration to explain to the Court why I am applying to be
3 admitted *pro hac vice* in this Court even though I am admitted to the Northern District of
4 California.

5 2. I graduated from law school in May of 1991 and was admitted to the State Bar of
6 California (License No. 154928), the Bar of this Court, and the Bar of the United States Court of
7 Appeals for the Ninth Circuit in a single ceremony on December 16, 1991. I was an associate at
8 Morrison & Foerster in San Francisco, CA at the time.

10 3. I currently live and maintain a law office in Brooklyn, New York, and am a member in
11 good standing of the Bar of the State of New York to which I was admitted on May 7, 2003
12 (License No. 4127387). I no longer maintain a law office in California, and am on Inactive status
13 with the State Bar of California.

14 4. Because I am a member of the Bar of this Court, I applied for and was granted ECF
15 filing privileges in order to file a motion for leave to file a Brief of Amicus Curiae in the above
16 captioned case. I filed the Motion, with the accompanying Proposed Brief and Proposed Order,
17 on May 7, 2019. I was then informed by the Clerk's Office that because I am a member of the
18 Bar of this Court, I must also become an active member of the California Bar again.


20 5. I looked into activating my California State Bar status. Because the State Bar requires
21 that all Bar members be re-fingerprinted, this process would unfortunately take a considerable
22 amount of time. After I paid the additional Bar fees, the State Bar would send me new
23 fingerprinting cards within 15 days. I would then need to find an approved finger-printing service
24 in New York and mail the cards back to California, or come to California to finalize the paper
25 work.
26
27
28

1 6. As an alternative, the Clerk's office indicated I could ask the Court to approve a Pro
2 Hac Vice application based on my New York State bar membership and explain the
3 circumstances. While I hesitated to burden the Court with this request, it was the most
4 expeditious way to attempt to resolve the situation. I do not intend to practice law in the State of
5 California, and humbly request that this Court approve this application for the sole purpose of
6 filing an amicus brief in this case, a brief that I hope may be of some use to the Court.
7

8 7. As additional information, I am also a member of the Bar in good standing in a number
9 of other federal courts, e.g., the United States Courts of Appeals for the following Circuits:
10 Second (adm. 1/3/2002), Fourth (10/7/96), Fifth (adm. 6/29/17), Eighth (adm. 1/10/95), Ninth
11 (adm. 12/16/91), Tenth (8/18/94), and Federal (adm. 6/12/2012), the U.S. District Courts for the
12 Eastern District of Michigan (admitted 3/18/94), the District of Nebraska (admitted 3/25/2003),
13 the District of Connecticut (admitted 9/4/2018), and the United States Supreme Court (adm.
14 10/3/2000).
15

16 I declare under penalty of perjury under the laws of the United States of America that the
17 foregoing is true and correct.

18 Executed on May 10, 2019
19 in Brooklyn, New York
20


PRISCILLA J. SMITH

CERTIFICATE OF FILING AND SERVICE

I hereby certify that on May 10, 2019, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system.

I certify that all participants in the case are registered CM/ECF users and that service of this Motion and the accompanying exhibits, including a copy of the Proposed Brief, will be accomplished by the CM/ECF system.

/s/ Maya Manian
MAYA MANIAN (CA Bar No. 224008)